

PLANNING COMMISSION AGENDA REPORT

MEETING DATE: MARCH 10, 2008

SUBJECT:

PARCEL MAP PM-07-237

224 KNOX STREET, COSTA MESA

DATE:

FEBRUARY 28, 2008

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP SENIOR PLANNER (714) 754-5611

DESCRIPTION

The applicant is proposing a two-lot airspace subdivision (condominiums) of a two-unit residential common interest development previously approved under Planning Application PA-06-60.

APPLICANT

Dave Wooley is the authorized agent for the property owners, Keith and Donna Ray.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

Senior Planner

Asst. Development Services Director

BACKGROUND/DISCUSSION

On February 25, 2008, Planning Commission approved a one-year extension of time for Planning Application PA-06-60, to construct a 2-unit, 2-story, residential common interest development. The subject site is zoned R2-MD with a General Plan designation of Medium Density Residential.

The applicant proposes a parcel map to allow division of the project so that each unit can be sold separately. No physical changes to the approved project are proposed.

The proposed subdivision complies with the State Subdivision Map Act. Staff has included conditions that require CC&Rs for common maintenance for the landscaping, driveway, and parking spaces.

GENERAL PLAN CONFORMITY

The proposed subdivision affects only how the units may be sold; as a result, there will be no effect on the City's General Plan.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

<u>ALTERNATIVE</u>

If the map were denied, the applicant would not be able to file a similar request for six months. The project could be built and leased, but would be limited to a single ownership.

CONCLUSION

Staff does not anticipate any land use impacts as a result of the subdivision map. Approval of the tentative map will allow the legal subdivision for individual ownership purposes.

Attachments: Draft PC Resolution

Exhibit "A" - Draft Findings

Exhibit "B" - Draft Conditions of Approval

Location Map Parcel Map

Staff Report for PA-06-60

cc: Deputy City Mgr. - Dev. Svs. Director

Deputy City Attorney

City Engineer

Fire Protection Analyst

Staff (4) File (2)

Dave Wooley 2832 Walnut Avenue, Suite A Tustin, CA 92780

Keith and Donna Ray 2019 Yacht Resolute Newport Beach, CA 92660

File: 031008PM07237 Date: 022808 Time: 2:45 p.m.

RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PARCEL MAP PM-07-237

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Dave Wooley, authorized agent for Keith and Donna Ray, requesting approval of a two-lot airspace subdivision of a previously approved two-unit residential common interest development approved under Planning Application PA-06-60, located at 224 Knox Street in an R2-MD zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 10, 2008;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** Parcel Map PM-07-237 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Parcel Map PM-07-237 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 10th day of March, 2008.

Donn Hall, Chair Costa Mesa Planning Commission

STATE OF C	CALIFORNIA)	
COUNTY OF)ss F ORANGE)	
Mesa, do he	mberly Brandt, secretary to the Planning Commission of the ereby certify that the foregoing Resolution was passed and the City of Costa Mesa Planning Commission held on Marc g votes:	d adopted at a
AYES:	COMMISSIONERS:	
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	
	Secretary, Costa Mesa Planning Commission	

EXHIBIT "A"

FINDINGS

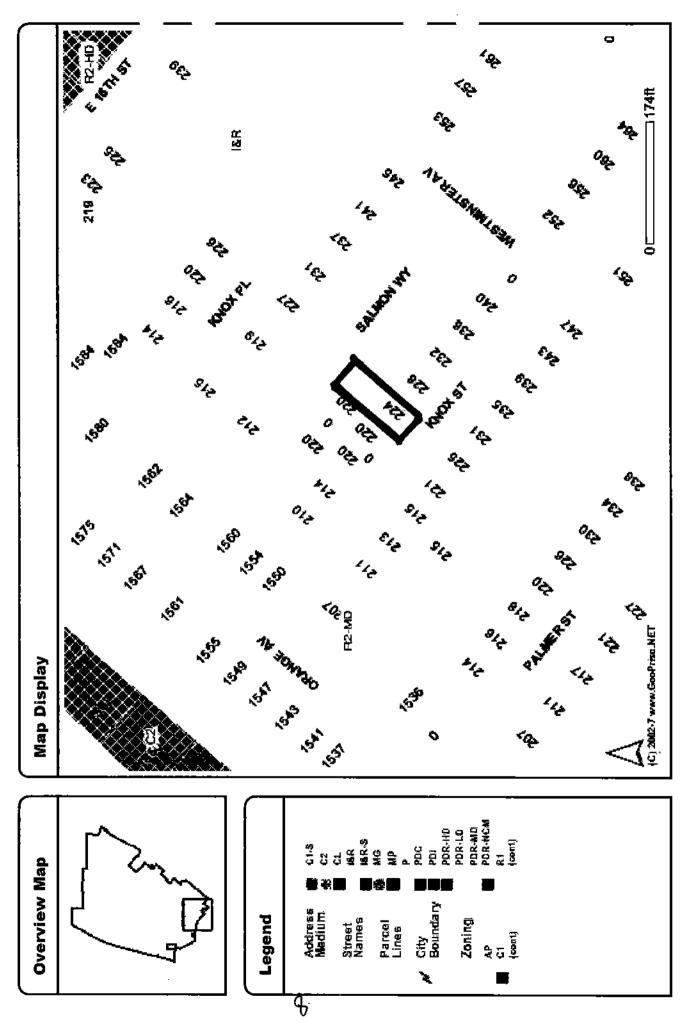
- A. The subdivision complies with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The subdivision is consistent with the General Plan.
 - b. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA, under Section 15315.
- C. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- D. The subdivision of the property for residential condominiums is consistent with the City's General Plan and Zoning Code.
- E. The proposed use of the subdivision is for residential ownership purposes which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- F. The subject property is physically suitable to accommodate Parcel Map PM-07-237 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- G. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- H. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.
- The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

EXHIBIT "B"

CONDITIONS OF APPROVAL

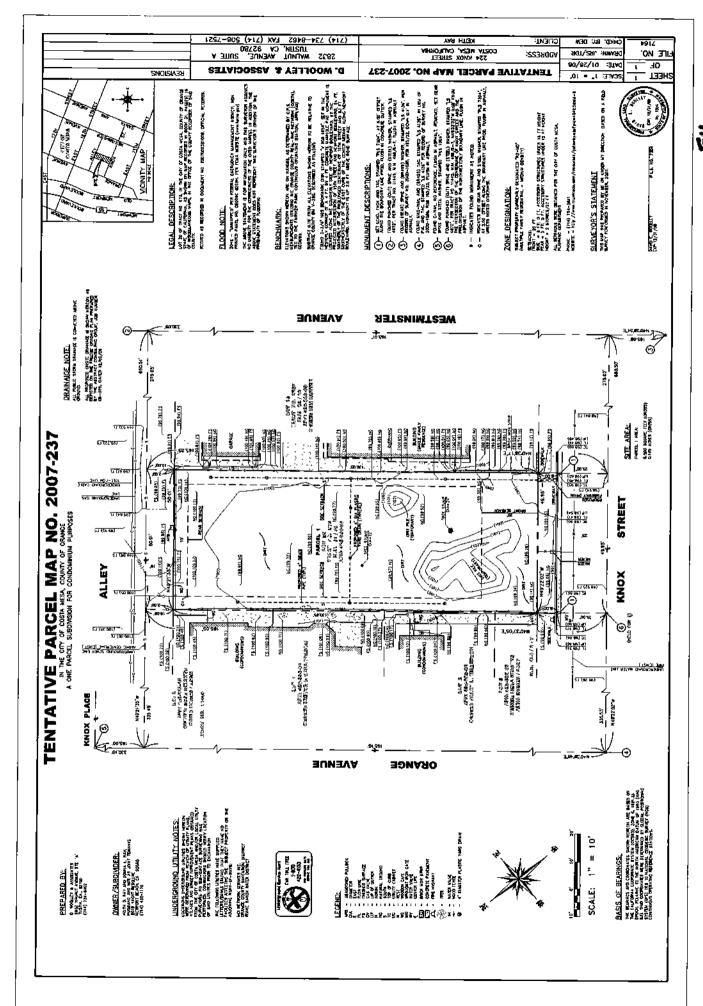
- Plng. 1. The applicant is reminded that all conditions of approval, code requirements, and special district requirements, of Planning Application PA-06-60 shall be complied with.
 - 2. The CC&Rs shall require that garage spaces be used for parking only. Any changes made to this provision require prior review and approval by the City of Costa Mesa.
 - Applicant shall contact the Building Safety Division, prior to recordation of the parcel map, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied.

224 KNOX STREET - [Created: 1/2/2007 4:56:08 PM] [Scale: 173.61] [Page: 8.5 x 11 / Landscape] City of Costa Mesa



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PLANNING COMMISSION AGENDA REPORT

エル・コ ITEM NUMBER:

MEETING DATE: FEBRUARY 25, 2008

SUBJECT: PLANNING APPLICATION PA-06-60 (TIME EXTENSION)

224 KNOX STREET, COSTA MESA

DATE:

FEBRUARY 14, 2008

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER (714) 754-5611

DESCRIPTION

The applicant is requesting an extension of time for approval of a new two-unit, twostory, detached residential common interest development.

APPLICANT

The applicants are Keith and Donna Ray, who are also the owners of the property.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP

Senior Planner

KIMBERLY BRAKOT, AICP

Asst. Development Services Director

BACKGROUND/DISCUSSION

On January 22, 2007, Planning Commission approved Planning Application PA-06-60. The project consists of a new two-unit, two-story, detached, residential common interest development. The original staff report is attached.

Code Section 13-29(k)(2) allows the Commission to approve successive one-year time extensions upon showing good cause by the applicant. Although the project has been submitted to the Building Safety Division for plan check, the applicant was not able to obtain building permits prior to the expiration of PA-06-60. Unlike the recent code revisions for residential common interest development conversions, the zoning code as it pertains to new residential common interest developments has not changed since the project's original approval.

On January 28, 2008, the applicant submitted Parcel Map PM-07-237 to facilitate the subdivision of the project into a common interest development, which will be scheduled for a future Planning Commission hearing.

ALTERNATIVES

If the extension were not approved, the applicant would not be able to obtain building permits to proceed with construction of the project.

GENERAL PLAN CONFORMITY

Approval of the time extension will have no effect on the City's General Plan.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

CONCLUSION

Approval of the extension will allow the previously approved project to proceed.

Attachments:

Draft PC Resolution

Exhibit "A" – Draft Findings

Exhibit "B" - Draft Conditions of Approval

Extension Request Meeting Minutes

Staff Report for PA-06-60 and Resolution

Zoning/Location Map

Plans

cc: Deputy City Mgr. - Dev. Svs. Director Deputy City Attorney City Engineer Fire Protection Analyst Staff (4) File (2)

> Keith and Donna Ray 2019 Yacht Resolute Newport Beach, CA 92660

Arne Valenti 158 N. Glassell Street, Suite 203 Orange, CA 92866

File: 022508PA0660EXT	Date: 021208	Time: 8:15 a.m.
* **** ********************************		1

Keith and Donna Ray 2019 Yacht Resolute Newport Beach, CA 92660



DEC 1 4 2007

December 13, 2007

City of Costa Mesa Building Department

Subject:

Extension of the Plan Check process for 224 Knox Street

Re: BC07-00032 & BC07-00033

PA-06-60

Mr. Burt Morgan Chief Plans Examiner

City of Costa Mesa Building Dept.

Dear Mr. Morgan,

We are requesting the extension of our plan check process for the subject property at 224 Knox Street. We have been delayed due to market conditions and financing and are hopeful that we will be able to start construction after the first of the year.

At present status of plan check is waiting resubmittal.

We appreciate your assistance in this matter

Regards
Kult + Donne Ray

Keith and Donna Ray

The motion carried by the following roll call vote:

Ayes: Chair Bill Perkins, Commissioner Eleanor Egan, and

Commissioner James Fisler

Noes: Vice Chair Donn Hall

Absent: None.

In response to the Chair's question of when this item would go to City Council, Planning Commission Secretary Mike Robinson said February 20.



Planning Application PA-06-60, for Arne Valenti, authorized agent for Jim Stern, for a design review to construct a 2-unit, 2-story common interest development which includes a front unit that does not comply with the recommended 10-foot average second-story side setback (9-foot average proposed), located at 224 Knox Street, in an R2-MD zone. Environmental determination: exempt.

Associate Planner Wendy Shih gave a presentation.

Arne Valenti, applicant, Orange, agreed to the conditions. There were no public comments, so the Chair closed the public hearing.

MOTION: Approve Planning Application PA-06-60, by adoption of Planning Commission Resolution PC-07-09, based on evidence in the record and findings contained in Exhibit "A", subject to conditions in Exhibit "B".

Moved by Commissioner Eleanor Egan, seconded by Commissioner James Fisler.

The motion carried by the following roll call vote:

Ayes: Chair Bill Perkins, Vice Chair Donn Hall, Commissioner Eleanor

Egan, and Commissioner James Fisler

Noes: None. Absent: None.

6. Planning Application PA-06-63, for Corrie Kates, authorized agent for Hope Leon, for a conditional use permit for off-site parking and storage located on an industrially-zoned property containing two non-conforming residential units, located at 843 W. 17th Street, in an MG zone. Environmental determination: exempt.

The Chair confirmed with Principal Planner Willa Bouwens-Killeen that the applicant requested a continuance on this item. The Chair asked if



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 22, 2007

SUBJECT:

PLANNING APPLICATION PA-06-60

224 KNOX STREET

DATE:

JANUARY 11, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

DESCRIPTION

Design review to construct two, two-story condominium units.

APPLICANT

Arne Valenti is the authorized agent for property owner, Jim Stern.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

Associate Planner

. MICHAEL ROBINSON, ATCF

sst. Development Services Director

PLANNING APPLICATION SUMMARY

Location:		224 Knox Street	Applicatio	on:	PA-06-47		
Request: Design review to construct two, two-story condominium units.							
SUBJECT PROPERTY:				SURROUNDING PROPERTY:			
Zone:	_	R2-MD		North:	Surrounding properties		
General Plan:		Medium Density Re	sidential	South:	are all R2-MD		
Lot Dimensions:		50 ft. x 130.08 ft.		East:	residentially zoned		
Lot Area:		6,504 sq.ft.		West:	and developed.		
Existing Development: Single-family residence and de			nce and detac	ched garage	(to be demolished).		
						_	
		DEVELOPMENT S	TANDARD (OMPARIS	<u> </u>		

Development Standard	Required/Allowed		Proposed/Provided				
Lot Size:	· · · · · · · · · · · · · · · · · · ·						
Lot Width			50 ft. ¹				
Lot Area	12,000 sq. ft.		6,504 sq.ft.				
Density:							
Zone/General Plan	1 du/3,630 sq.ft.		1 du/3,252 sq.ft. ²				
	(Legal lot before	re March 1992)					
Building Coverage:		•					
Buildings	N/A		47% (3,095 sq.ft.)				
Paving	N	/A	11% (688 sq.ft.)				
Open Space	Minimum 40%	(2,601 sq. ft.)	42% (2,721 sq.ft.)				
TOTAL	100%		100%				
Private Open Space:	Minimum 10 ft.		Minimum 10 ft.				
Building Height:	2 stories/27 ft.		2 stories/25 ft.				
Ratio of 2 nd floor to 1 st floor ³ :	Front Unit	Rear Unit	Front Unit	Rear Unit			
	1,250 sq.ft.	1,226 sq.ft.	80%	80%			
			(1,248 sq.ft.)	(1,226 sq.ft.)			
Setbacks:							
Front (Knox Street)	20 ft.		20 ft.				
1 st Floor Side (left/right)	5 ft./5 ft.		5 ft./5 ft.				
2 nd Floor Side ³ (left/right)	10 ft. average		Front Unit	Rear Unit			
			9 ft./10 ft. average	10 ft./10 ft. average			
Rear (alley)	5 ft.		6 ft.				
Parking:							
Covered	4		4				
Open	4		4				
TOTAL	8 Spaces		8 spaces				
CEQA Status Exempt, CI							
Final Action Planning Commission							

- Existing, nonconforming.

 Two units permitted because lot existed prior to March 12, 1992.

 Residential design guidelines.
- 1 2 3

PROJECT DESCRIPTION

The subject property is located mid-block between Orange Avenue and Westminster Avenue, on the north side of Knox Street. It is surrounded by R2-MD (Multiple-Family Residential, Medium Density) zoned properties. The applicant proposes to construct two, two-story condominium units on the lot.

A parcel map to facilitate the condominium project will be required to be processed and recorded before construction of the units can begin. If the project is approved, the applicant will submit a parcel map application at a later date.

ANALYSIS

New residential common interest development projects (condominiums) are subject to a design review, which requires Planning Commission consideration. This allows review of the structures' scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

The exterior elevations of the proposed homes will consist of stucco finish, window trims, stone veneers, decorative lighting, stained wood sectional garage doors, and clay roof tiles.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and the second story be set back an average of 10 feet from the side property lines. The proposed second floor to first floor ratios are 80% for both units. With exception of the front left elevation (9-foot average setback for second floor), all other second floor side elevations satisfy the design guidelines with a 10-foot average side setback. It is staff's opinion the buildings incorporate variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from off-site. The second floor windows are placed so as to minimize privacy impacts and direct views into windows on the adjacent properties.

GENERAL PLAN CONFORMITY

The property has a General Plan designation of Medium Density Residential. Under this designation two dwelling unit are allowed on the subject property. Therefore, the proposal is consistent with the use and density allowed by the City's General Plan. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.

ALTERNATIVES

If the planning application is approved, it would allow the construction of the project as proposed.

If the application is denied, the property could not be built as proposed. The applicant could not submit substantially the same type of project for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction.

CONCLUSION

The proposed development satisfies all applicable Code requirements and the intent of the residential design guidelines. Approval of the project will allow redevelopment of the lot and provide additional home ownership opportunities in the City.

Attachments:

Draft Planning Commission Resolution

Exhibit "A" - Draft Findings

Exhibit "B" - Draft Conditions of Approval

Applicant's Project Description and Justification

Zoning/Location Map

Plans

CC:

Deputy City Mgr.-Dev. Svs. Director

Deputy City Attorney

City Engineer

Fire Protection Analyst

Staff (4) File (2)

Jim Stern 181 Possum Hollow Anaheim Hills, CA 92808

Arne Valenti 158 North Glassell St., Ste. 203 Orange, CA 92866

File: 012207PA0660 Date: 010907 Time: 8:00 a.m.

RESOLUTION NO. PC-07-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-06-60

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Arne Valenti, authorized agent for property owner Jim Stern, with respect to the real property located at 244 Knox Street, requesting approval of a design review to construct two, two-story condominium units in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 22, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-60 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-06-60 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 22nd day of January 2007.

Bill Perkins, Chair

Costa Mesa Planning Commission

STATE OF CALIFORNIA) COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 22, 2007, by the following votes:

COMMISSIONERS: PERKINS, HALL, EGAN, FISLER AYES:

COMMISSIONERS: NONE NOES:

ABSENT: COMMISSIONERS: NONE

COMMISSIONERS: NONE ABSTAIN:

Secretary, Costa Mesa
Planning Commission P. Mu'chaul
Robinson

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EXHIBIT "A"

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
 - c. The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property and two dwelling units are proposed. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearances, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development. Specifically, the project is consistent with the City's General Plan and Zoning Code, and the City's Residential Design Guidelines. The project is of a character and scale compatible with the neighborhood. The buildings incorporate multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also placed so as to minimize privacy impacts and direct views into windows of adjacent residences. Approval of the condominium units will also provide additional home ownership opportunities in the City.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

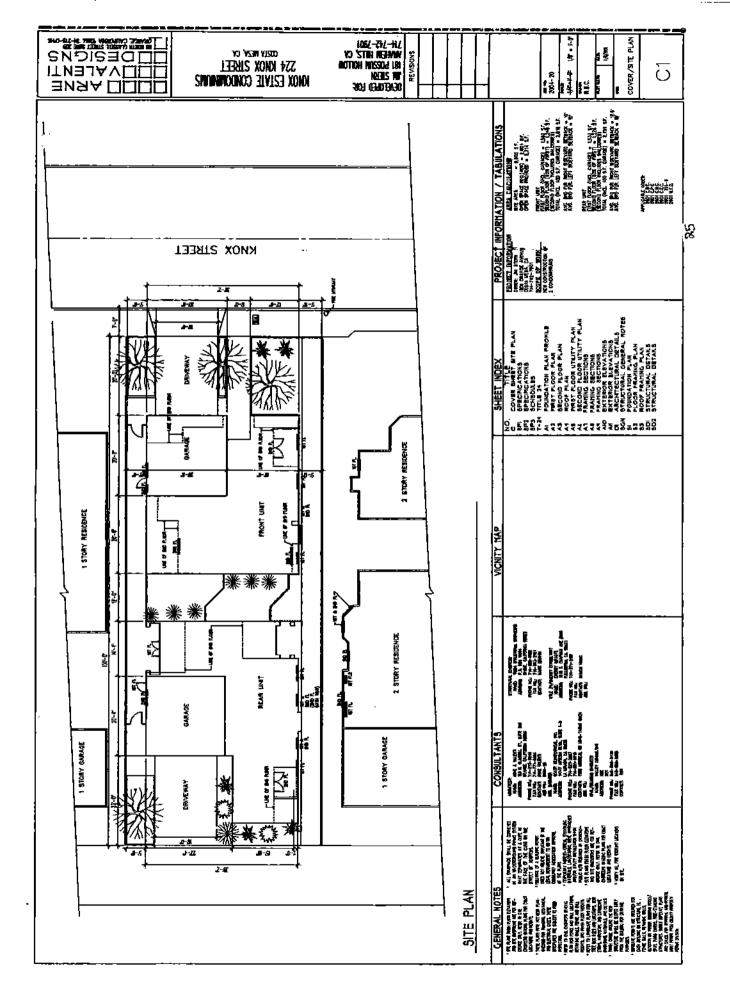
CONDITIONS OF APPROVAL

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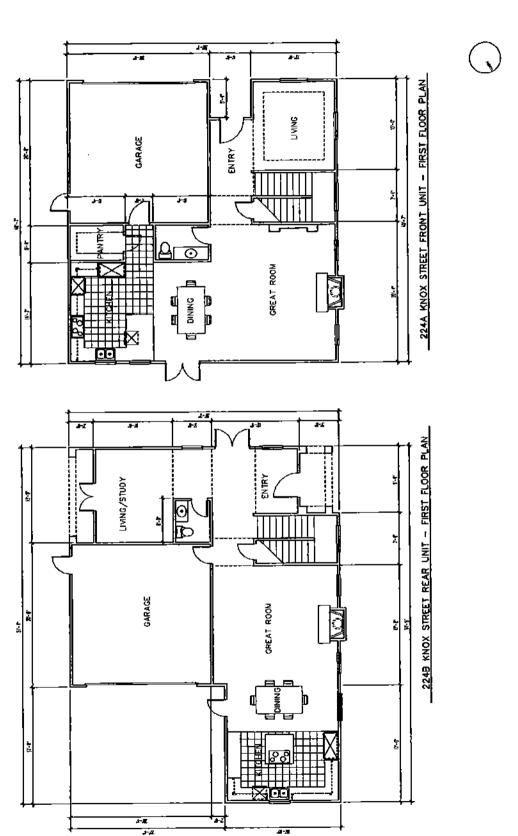
- 1. The approved address of individual units (A and B) shall be blueprinted on the site plan and on all floor plans in the working drawings as part of the plan check submittal package.
- Prior to issuance of building permits, applicant shall contact the US
 Postal Service with regard to location and design of mail delivery
 facilities. Such facilities shall be shown on the site plan, landscape plan,
 and/or floor plan.
- 3. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
- 4. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
- 5. The site plan submitted with initial working drawings shall contain a notation specifying the project is a 2-unit, common interest (condominium) development.
- The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
- 7. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning staff.
- 8. Homeowners Association CC&Rs shall include a requirement that residents park in garages.
- The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.
- 10. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
- 11. The conditions of approval, code requirements, and special district requirements of Planning Application PA-06-60 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
- 12. The applicant shall contact the Planning Division to arrange for an

- inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- 13. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- 14. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, additional second story windows, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
- 15. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

Eng.







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